

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/839,399

REMARKS

Claims 1-6 have been examined and have been rejected under 35 U.S.C. § 102(b).

I. Rejection under 35 U.S.C. § 102(b) over U.S.P. 5,983,119 to Martin et al. (“Martin”)

Claims 1-6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Martin.

A. Claims 1 and 2

Since claims 1 and 2 have been cancelled without prejudice or disclaimer, Applicant submits that the rejection of the claims is moot.

B. Claim 3

Applicant submits that claim 3 is patentable over Martin. For example, claim 3 relates to a communication device that comprises a movement detector that detects a movement of an antenna in a direction substantially perpendicular to a turning axis of the antenna. On the other hand, Martin only teaches detectors that detect the rotation of the antenna and the movement of the antenna parallel to a turning axis of the antenna. Therefore, Applicant submits that claim 3 is patentable.

C. Claims 4-6

Since claims 4-6 have been cancelled without prejudice or disclaimer, Applicant submits that the rejection of the claims is moot.

II. Newly added claims

Applicant has added new claims 7-27 to provide more varied protection for the invention.

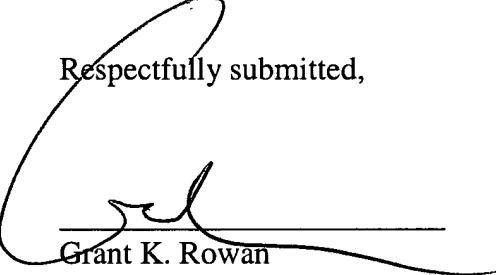
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/839,399

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Grant K. Rowan
Registration No. 41,278

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: June 3, 2004